

AO 154 (10/03) Substitution of Attorney

# UNITED STATES DISTRICT COURT

EASTERN

District of

NEW YORK

MARTIN JOSEPH, ET AL.

Plaintiff (s),

v.

FRONTIER AIRLINES, INC.

Defendant (s),

## CONSENT ORDER GRANTING SUBSTITUTION OF ATTORNEY

CASE NUMBER: 1:21-CV-06054-WFK-JC

Notice is hereby given that, subject to approval by the court, FRONTIER AIRLINES, INC. substitutes  
(Party (s) Name)

Evan M. Kwart

(Name of New Attorney)

, State Bar No. 4401543

as counsel of record in

place of

FRANK J. RUBINO, JR., BROWN, GAVALAS & FROMM LLP

(Name of Attorney (s) Withdrawing Appearance)

Contact information for new counsel is as follows:

Firm Name: HINSHAW & CULBERTSON LLP

Address: 800 Third Avenue, 13th Floor, New York, NY 10022

Telephone: (212) 655-3839 Facsimile (212) 935-1166

E-Mail (Optional): ekwarta@hinshawlaw.com

I consent to the above substitution.

Date: 7/27/23

(Signature of Party (s))

I consent to being substituted.

Date: 7/31/23

(Signature of Former Attorney (s))

I consent to the above substitution.

Date: 7/27/2023

(Signature of New Attorney)

The substitution of attorney is hereby approved and so ORDERED.

Date: \_\_\_\_\_

Judge

[Note: A separate consent order of substitution must be filed by each new attorney wishing to enter an appearance.]

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X -----  
MARTIN JOSEPH, *et al.*, : Case No. 1:21-cv-06054-WFK-JRC  
:   
Plaintiffs, :  
-against- :  
:   
FRONTIER AIRLINES, INC., :  
:   
Defendant. :  
----- X -----

**AFFIDAVIT OF FRANK J. RUBINO, JR. TO WITHDRAW AS COUNSEL AND IN  
SUPPORT OF SUBSTITUTION OF COUNSEL**

I, FRANK J. RUBINO, JR., being duly sworn, hereby depose and say as follows:

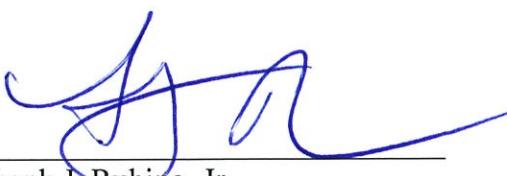
1. I was associated with the firm Brown Gavalas and Fromm LLP ("Brown Gavalas").
2. Brown Gavalas was serving as local counsel for Defendant Frontier Airlines, Inc. ("Frontier") in the above-captioned action.
3. In Brown Gavalas's capacity as local counsel, I served as attorney of record for Frontier.
4. I represented Frontier together with lead counsel Hinshaw & Culbertson LLP ("Hinshaw").
5. Hinshaw attorneys who reside in Chicago, Illinois were admitted *pro hac vice* before this Court to represent Frontier with me. *See* Dkt. Nos. 12-14, 22.
6. Recently, I left Brown Gavalas and am now associated with another law firm.
7. Brown Gavalas no longer has any involvement in this action.
8. Further, an attorney from Hinshaw's New York office, who is admitted to practice before this Court, Evan M. Kwarta (State Bar. No. 4401543; EDNY No. EK1248) will be substituting for me.

9. Mr. Kwarta will be filing a Notice of Appearance, and then a Consent Order seeking to be substituted for me.

10. This substitution is being made with the consent of Defendant Frontier.

11. I therefore request that the Court grant my request to withdraw as an attorney in this matter for Defendant Frontier and So Order the Consent Order Granting Substitution of Attorney filed by Mr. Kwarta.

Dated: July 31, 2023



Frank J. Rubino, Jr.

To: Dov Medinets, Esq.  
Gutman Weiss, P.C.  
Attorneys for Plaintiffs  
2276 Sixty-Fifth Street, 2nd Floor  
Brooklyn, New York 11204  
dm@gwpclaw.com

**CERTIFICATE OF SERVICE**

I hereby certify that on August 1, 2023, the foregoing was served on the following by electronic mail:

Dov Medinets, Esq.  
dm@gwpclaw.com



Evan Kwartas  
\_\_\_\_\_  
Evan Kwartas, Esq.